

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Krieger on 1/21/10.

This listing of claims replaces, without prejudice, all prior versions and listings of claims in the application:

1. - 89. (Canceled)

90. (Currently amended) A method of detecting a reaction product in a sample of blood or blood derivative using a cartridge that includes a holding chamber, an overflow chamber, an analysis location, a pump, a reagent and a sensor, the method comprising the steps of:

- (a) introducing the sample into the holding chamber in the cartridge;
- (b) ~~metering~~ a portion of the sample is retained by retaining in the holding chamber to form a metered sample and excess sample in flows into the overflow chamber to form a metered sample in the holding chamber;
- (c) moving the metered sample from the holding chamber to the analysis location by pumping through the overflow chamber, wherein the overflow chamber is disposed between the pump and the holding chamber;
- (d) mixing the metered sample with the reagent in the analysis location;
- (e) allowing the reagent to form the reaction product in the sample;

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(f) after the mixing step, positioning the sample at the sensor in the analysis location using the pump;

(g) detecting the reaction product at the sensor; and

(h) sealing the holding chamber with a closable sample entry port after step (a).

91. (Previously presented) The method of claim 90, wherein the excess sample passes through a substantially circular orifice located between the holding chamber and the overflow chamber.

92. (Previously presented) The method of claim 90, wherein a capillary stop is located between the holding chamber and the analysis location.

93. (Previously presented) The method of claim 90, wherein a capillary stop is located between the holding chamber and the analysis location,

wherein the excess sample passes through a substantially circular orifice located between the holding chamber and the overflow chamber, and

wherein the area of the substantially circular orifice is larger than the area of the capillary stop.

94. (Previously presented) The method of claim 90, wherein a capillary stop is located between the holding chamber and the analysis location,

wherein the excess sample passes through a substantially circular orifice located between the holding chamber and the overflow chamber, and

wherein the substantially circular orifice comprises a lower resistance to fluid sample flow than the capillary stop.

95. (Previously presented) The method of claim 90, wherein a capillary stop is located between the holding chamber and the analysis location,

wherein a substantially circular orifice is located between the holding chamber and the overflow chamber, and

wherein the volume of the holding chamber between the substantially circular orifice and the capillary stop corresponds substantially to the volume of the metered sample.

96. (Previously presented) The method of claim 90, wherein the overflow chamber receives excess sample from the holding chamber through an orifice.

97. (Canceled)

98. (Previously presented) The method of claim 90, wherein the excess sample is forced into the overflow chamber by closure of a closable sample entry port.

99. (Previously presented) The method of claim 98, wherein a circumferential well around the closable sample entry port receives spilled sample.

100. (Previously presented) The method of claim 90, wherein the cartridge further comprises a closable sample entry port comprising an air-tight seal when closed.

101. (Previously presented) The method of claim 90, wherein the cartridge includes a capillary stop and a pre-sensor chamber located between the holding chamber and the analysis location.

102. (Previously presented) The method of claim 90, wherein step (c) causes the sample to pass through a hydrophobic region.

103. (Previously presented) The method of claim 90, wherein the cartridge includes a hydrophobic area between the holding chamber and analysis location.

104. (Previously presented) The method of claim 103, wherein the hydrophobic area comprises a hydrophobic matrix coating selected from the group consisting of wax, petroleum gel, and non-polar organic film.

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105. (Previously presented) The method of claim 103, wherein the hydrophobic area comprises a layer of material selected from the group consisting of polytetrafluoroethylene, plastic coated with polytetrafluoroethylene, polyimide treated with a fluoride ion-plasma, silicon dioxide coated with an organic compound, an alloy of tungsten and titanium, and silver coated with silver chloride.

106. (Previously presented) The method of claim 103, wherein the hydrophobic area comprises a layer of polytetrafluoroethylene.

107. (Previously presented) The method of claim 90, wherein the overflow chamber includes walls that are wetted when excess sample enters the overflow chamber.

108. (Previously presented) The method of claim 90, wherein an interior surface of the holding chamber is corona treated.

109. (Previously presented) The method of claim 90, wherein the volume of the metered sample is in the range of about 1 microliter to about 1 milliliter.

110. (Previously presented) The method of claim 90, wherein the volume of the metered sample is in the range of about 15 microliters to about 50 microliters.

111. (Previously presented) The method of claim 90, wherein the volume of the overflow chamber is in the range of about 0.2 microliters to about 1 milliliter.

112. (Previously presented) The method of claim 90, wherein the volume of the overflow chamber is in the range of about 1 microliter to about 10 microliters.

113. (Previously presented) The method of claim 90, wherein the pump is in fluidic connection with the overflow chamber.

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114. (Previously presented) The method of claim 90, wherein a force provided to the sample by the pump comprises a pneumatic force.

115. (Previously presented) The method of claim 90, wherein at least a portion of at least one of the holding chamber and the overflow chamber is treated to impart a high energy surface to interior chamber surfaces.

116. (Previously presented) The method of claim 90, wherein the cartridge is adapted for use with an analyzer.

117. (Previously presented) The method of claim 116, wherein the pump is actuated by an actuator element of the analyzer.

118. (Previously presented) The method of claim 90, wherein the reagent comprises a predetermined amount of reagent in the analysis location for mixing with the sample.

119. (Previously presented) The method of claim 90, wherein an interior surface of the overflow chamber is corona treated.

120. (Previously presented) The method of claim 90, wherein the holding chamber has an interior surface-to-volume ratio that is less than that an interior surface-to-volume ratio of the overflow chamber.

121. (Previously presented) The method of claim 90, further comprising adding a predetermined amount of the reagent in the holding chamber.

122. (Previously presented) The method of claim 90, wherein the analysis location comprises one or more sensors.

123. (Previously presented) The method of claim 90, wherein the reaction product is detected by an optical sensor.

124. (Previously presented) The method of claim 90, wherein the reaction product comprises an electrochemical species detected by an electrochemical sensor.

125. (Previously presented) The method of claim 90, wherein the reaction product is formed by an enzyme in the sample, and
wherein the reaction product is selected from the group consisting of factor VII, factor VIII, factor IX, factor X, factor XI, factor XII, and thrombin.

126. (Previously presented) The method of claim 90, wherein the reaction product is formed by the enzyme thrombin.

127. (Canceled)

128. (Previously presented) The method of claim 90, wherein the reagent includes an electrochemical species other than a substrate and its reaction product.

129. (Previously presented) The method of claim 128, wherein the electrochemical species is detectable at a different electrical potential than the substrate of the product.

130. (Previously presented) The method of claim 90, wherein the reagent comprises an enzyme substrate deposited at more than one site within the analysis location.

131. (Previously presented) The method of claim 90, wherein the sample is oscillated by the pump over a first and a second sensor while in the analysis location.

132. (Previously presented) The method of claim 90, wherein the sensor measures the concentration of reaction product each time the fluid sample is oscillated passed the sensor by the pump.

133. (Previously presented) The method of claim 90, wherein the reagent comprises a matrix that promotes rapid dissolution into the sample.

134. (Previously presented) The method of claim 90, wherein the reagent comprises at least one component selected from the group consisting of a water-soluble polymer, gelatin, agarose, a polysaccharide, polyethylene glycol, polyglycine, a saccharide, sucrose, an amino acid, glycine, a buffer salt, sodium phosphate, HEPES buffer, and a dye molecule.

135. (Previously presented) The method of claim 90, wherein the reagent promotes the coagulation of blood or blood derivative.

136. (Previously presented) The method of claim 90, wherein the reagent is selected from the group consisting of celite, kaolin, diatomaceous earth, clay, silicon dioxide, ellagic acid, natural thromboplastin, recombinant thromboplastin, phospholipid, and mixtures thereof.

137. (Previously presented) The method of claim 90, wherein the sensor comprises a first sensor comprising a conductimetric sensor, and a second sensor comprising an amperometric sensor.

138. (Previously presented) The method of claim 137, wherein the amperometric sensor comprises an applied potential of about +0.4V versus a silver-silver chloride electrode.

139. (Previously presented) The method of claim 137, wherein the amperometric sensor comprises an applied potential of about +0.1V versus a silver-silver chloride electrode.

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140. (Previously presented) The method of claim 137, wherein the conductimetric sensor is proximal to the holding chamber, and

wherein the amperometric sensor is distal from the holding chamber.

141. (Previously presented) The method of claim 137, wherein one of the first and second sensors is comprised of a metal selected from the group consisting of gold, platinum, silver, and iridium.

142. (Previously presented) The method of claim 137, wherein one of the first and second sensors is coated with a self-assembled thiol film.

143. (Previously presented) The method of claim 137, wherein one of the first and second sensors is in the shape of an antenna.

144. (Previously presented) The method of claim 90, wherein the cartridge operates in conjunction with an analyzer,

wherein the analyzer applies a potential to the sensor with the generation of an electrochemical signal, and

wherein the signal is proportional to the concentration of a substrate reagent in the sample.

145. (Previously presented) The method of claim 90, wherein the cartridge operates in conjunction with an analyzer,

wherein the analyzer applies a potential to the sensor with the generation of an electrochemical signal, and

wherein the signal is proportional to the concentration of a product of a reagent substrate the sample.

146. (Previously presented) The method cartridge of claim 90, wherein the reaction product in the sample is produced by the enzyme thrombin and the reagent comprises a thrombin substrate, and

wherein hydrolysis of the substrate by thrombin forms a product that reacts at the sensor with the generation of a signal distinguishable from a signal generated by the substrate.

147. (Previously presented) The method of claim 90, wherein the sensor comprises a microfabricated amperometric sensor.

148. (Previously presented) The method of claim 90, wherein the sensor comprises a microfabricated conductimetric sensor.

149. (Previously presented) The method of claim 90, wherein the sensor comprises a first and a second sensor,

wherein the first sensor comprises a microfabricated conductimetric sensor, and

wherein the second sensor comprises a microfabricated amperometric sensor.

150. (Previously presented) The method of claim 90, wherein the reagent includes a substance that promotes coagulation of the sample.

151. (Previously presented) The method of claim 90, wherein the sample is selected from the group consisting of blood containing one of an additive and a diluent, plasma, serum, plasma containing one of an additive and a diluent, and serum containing one of an additive and a diluent.

152. (Previously presented) The method of claim 90, wherein the reagent comprises a substrate that is selected from the group consisting of a tosyl-glycyl-prolinyl-arginyl- moiety, H-D-phenylalanyl-pipecolyl- moiety, and benzyl phenylalanyl-valyl-arginyl- moiety attached to a moiety selected from the group consisting of an N-phenyl-p-phenylenediamine moiety, and an N-[p-methoxyphenyl-]-p-phenylenediamine moiety.

153. (Previously presented) The method of claim 90, wherein the reaction product is selected from the group consisting of N-phenyl-p-phenylenediamine moiety and N-[p-methoxyphenyl]-p-phenylenediamine moiety.

154. (Previously presented) The method of claim 90, wherein the reaction product is produced by an enzyme in the sample.

155. (Previously presented) The method of claim 90, wherein the reaction product is produced by an enzyme selected from the group consisting of glucose oxidase, lactate oxidase, and other oxidoreductases, dehydrogenase based enzymes, alkaline phosphatase and other phosphatases, and serine proteases.

156. (Previously presented) The method of claim 90, wherein the sensor is coated with a mercaptoalkanol reagent selected from the group consisting of mercaptoethanol, mercaptopropanol, mercaptobutanol, and mixtures thereof.

157. (Previously presented) The method of claim 90, wherein the reagent is deposited in the path of the moving sample of step (c).

158. (Previously presented) The method of claim 90, wherein the pump oscillates the sample in the analysis location with a trailing edge of the metered sample positioned in a region of a selected sensor to dissolve the reagent in that portion of the metered sample near the trailing edge.

159. (Previously presented) The method of claim 158, wherein the oscillation comprises a frequency in the range of about 0.2 Hz to about 10 Hz for a period in the range of about 1 second to about 100 seconds.

160. (Previously presented) The method of claims 158, wherein the oscillation comprises a frequency in the range of about 1.5 Hz for a period of about 20 seconds.

161. (Previously presented) The method of claim 158, wherein the oscillation comprises a frequency of about 0.3 Hertz, and
wherein the sensor generates a signal at each oscillation.

162. (Previously presented) The method of claim 158, wherein the oscillation comprises a frequency sufficient to prevent settling of erythrocytes on the sensor.

163. (Previously presented) The method of claim 158, wherein the sensor comprises an amperometric sensor, and
wherein the method further comprises the step of:
storing a first sensor signal after the reagent is dissolved.

164. (Previously presented) The method of claim 163, further comprising the step of:
analyzing subsequent amperometric sensor signals to determine a maximum rate of change in sensor signal.

165. (Previously presented) The method of claim 163, further comprising the step of:
determining a fixed fraction of a maximum rate of change in the sensor signal.

166. (Previously presented) The method of claim 165, further comprising the step of:
determining a coagulation parameter from the first sensor signal and the fixed fraction.

167. (Currently amended) A method of assaying an enzyme in a sample of blood or blood derivative using a cartridge that includes a holding chamber, an overflow chamber, an analysis location, a pump, a reagent and a sensor, the method comprising the steps of:

(a) introducing the sample into the holding chamber in the cartridge;

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- (b) ~~metering~~ a portion of the sample is retained by retaining in the holding chamber to form a metered sample and excess sample in flows into the overflow chamber to form a metered sample;
- (c) moving the metered sample from the holding chamber to the analysis location by pumping through the overflow chamber, wherein the overflow chamber is disposed between the pump and the holding chamber;
- (d) mixing the metered sampled with the reagent at the analysis location;
- (e) allowing the enzyme to react with the reagent to form a reaction product in the sample;
- (f) after the mixing step, positioning the sample at the sensor in the analysis location using the pump; and
- (g) detecting the reaction product of the enzyme reaction at the sensor; and
- (h) sealing the holding chamber with a closable sample entry port after step (a).

168.-172. (Canceled).

173. (Currently amended) A method of detecting a reaction product in a sample of blood or blood derivative using a cartridge that includes a holding chamber, an overflow chamber, an analysis location, a pump, a reagent and a sensor, the method comprising the steps of:

- (a) introducing the sample into the holding chamber in the cartridge;
- (b) ~~metering~~ a portion of the sample in the holding chamber is retained by retaining to form a metered sample and excess sample in flows into the overflow chamber;
- (c) moving the metered sample from the holding chamber to the analysis location by pumping air with the pump through the overflow chamber to the metered sample;
- (d) mixing the metered sampled with the reagent in the analysis location;
- (e) allowing the reagent to form the reaction product in the sample;
- (f) after the mixing step, positioning the sample at the sensor in the analysis location using the pump; and
- (g) detecting the reaction product at the sensor.

174. (Previously presented) The method of claim 173, wherein the overflow chamber is disposed between the pump and the holding chamber.

175. (Currently amended) A cartridge for detecting reaction product in a sample of blood or blood derivative, comprising:

- (a) a holding chamber for receiving the sample connected to an overflow chamber;
- (b) a pump;
- (c) ~~an~~ the overflow chamber is disposed between the pump and the holding chamber for ~~metering a portion of the sample in the holding chamber by retaining~~ receiving excess sample from the holding chamber in the overflow chamber;
- (d) a ~~reactant~~ reagent in the cartridge for reacting with components in the sample to form the reaction product;
- (e) an analysis location in which metered sample is mixed with the reagent; and
- (f) a sensor in the cartridge for detecting the reaction product,

wherein the cartridge is configured: (i) to move the metered sample from the holding chamber to the analysis location by pumping air with the pump through the overflow chamber to the metered sample, and (ii) to position the sample at the sensor in the analysis location using the pump.

176. (Previously presented) The cartridge of claim 175, further comprising:
a capillary stop located between the holding chamber and the analysis location.

177. (Previously presented) The cartridge of claim 175, further comprising:
a capillary stop located between the holding chamber and the analysis location, wherein a substantially circular orifice is located between the holding chamber and the overflow chamber, and wherein the area of the substantially circular orifice is larger than the area of the capillary stop.

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178. (Previously presented) The cartridge of claim 177, wherein the volume of the holding chamber between the substantially circular orifice and the capillary stop corresponds substantially to the metered volume of the sample.

179. (Previously presented) The cartridge of claim 175, further comprising:
a closable sample entry port, which causes excess sample to be forced into the overflow chamber by closure thereof.

180. (Previously presented) The cartridge of claim 179, further comprising:
a circumferential well around the closable sample entry port for receiving spilled sample.

181. (Previously presented) The cartridge of claim 175, further comprising:
a closable sample entry port comprising an air-tight seal when closed.

182. (Previously presented) The cartridge of claim 175, further comprising:
a capillary stop and a pre-sensor chamber located between the holding chamber and the analysis location.

183. (Previously presented) The cartridge of claim 175, further comprising:
a hydrophobic area between the holding chamber and analysis location.

184. (Previously presented) The cartridge of claim 183, wherein the hydrophobic area comprises a hydrophobic matrix coating selected from the group consisting of wax, petroleum gel, and non-polar organic film.

185. (Previously presented) The cartridge of claim 183, wherein the hydrophobic area comprises a layer of material selected from the group consisting of polytetrafluoroethylene, plastic coated with polytetrafluoroethylene, polyimide treated with a fluoride ion-plasma, silicon dioxide coated with an organic compound, an alloy of tungsten and titanium, and silver coated with silver chloride.

186. (Previously presented) The cartridge of claim 183, wherein the hydrophobic area comprises a layer of polytetrafluoroethylene.

187. (Previously presented) The cartridge of claim 175, wherein the holding chamber includes a corona treated interior surface.

188. (Previously presented) The cartridge of claim 175, wherein the volume of the overflow chamber is in the range of about 0.2 microliters to about 1 milliliter.

189. (Previously presented) The cartridge of claim 175, wherein the volume of the overflow chamber is in the range of about 1 microliter to about 10 microliters.

190. (Previously presented) The cartridge of claim 175, wherein the pump is in fluidic connection with the overflow chamber.

191. (Previously presented) The cartridge of claim 175, wherein the reagent comprises a predetermined amount of reagent in the analysis location for mixing with the sample.

192. (Previously presented) The cartridge of claim 175, wherein the overflow chamber includes a corona treated interior surface.

193. (Previously presented) The cartridge of claim 175, wherein the holding chamber comprises a lower interior surface-to-volume ratio than the overflow chamber.

194. (Previously presented) The cartridge of claim 175, wherein the analysis location comprises one or more sensors.

195. (Previously presented) The cartridge of claim 175, wherein the sensor is an optical sensor.

196. (Previously presented) The cartridge of claim 175, wherein the sensor is an electrochemical sensor.

197. (Previously presented) The cartridge of claim 175, wherein the reagent includes an electrochemical species other than a substrate and its reaction product.

198. (Previously presented) The cartridge of claim 197, wherein the electrochemical species is detectable at a different electrical potential than the substrate of the product.

199. (Previously presented) The cartridge of claim 175, wherein the reagent comprises an enzyme substrate deposited at more than one site within the analysis location.

200. (Previously presented) The cartridge of claim 175, wherein the reagent comprises a matrix that promotes rapid dissolution into the sample.

201. (Previously presented) The cartridge of claim 175, wherein the reagent comprises at least one component selected from the group consisting of a water-soluble polymer, gelatin, agarose, a polysaccharide, polyethylene glycol, polyglycine, a saccharide, sucrose, an amino acid, glycine, a buffer salt, sodium phosphate, HEPES buffer, and a dye molecule.

202. (Previously presented) The cartridge of claim 175, wherein the reagent promotes the coagulation of blood or blood derivative.

203. (Previously presented) The cartridge of claim 175, wherein the reagent is selected from the group consisting of celite, kaolin, diatomaceous earth, clay, silicon dioxide, ellagic acid, natural thromboplastin, recombinant thromboplastin, phospholipid, and mixtures thereof.

204. (Previously presented) The cartridge of claim 175, wherein the sensor comprises a first sensor comprising a conductimetric sensor, and a second sensor comprising an amperometric sensor.

205. (Previously presented) The cartridge of claim 204, wherein the conductimetric sensor is proximal to the holding chamber, and wherein the amperometric sensor is distal from the holding chamber.

206. (Previously presented) The cartridge of claim 204, wherein one of the first and second sensors is comprised of a metal selected from the group consisting of gold, platinum, silver, and iridium.

207. (Previously presented) The cartridge of claim 204, wherein one of the first and second sensors is coated with a self-assembled thiol film.

208. (Previously presented) The cartridge of claim 204, wherein one of the first and second sensors is in the shape of an antenna.

209. (Previously presented) The cartridge of claim 175, wherein the sensor comprises a microfabricated amperometric sensor.

210. (Previously presented) The cartridge of claim 175, wherein the sensor comprises a microfabricated conductimetric sensor.

211. (Previously presented) The cartridge of claim 175, wherein the sensor comprises a first and a second sensor, wherein the first sensor comprises a microfabricated conductimetric sensor, and wherein the second sensor comprises a microfabricated amperometric sensor.

212. (Previously presented) The cartridge of claim 175, wherein the reagent includes a substance that promotes coagulation of the sample.

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213. (Previously presented) The cartridge of claim 175, wherein the sample is selected from the group consisting of blood containing one of an additive and a diluent, plasma, serum, plasma containing one of an additive and a diluent, and serum containing one of an additive and a diluent.

214. (Previously presented) The cartridge of claim 175, wherein the reagent comprises a substrate that is selected from the group consisting of a tosyl-glycyl-prolinyl-arginyl- moiety, H-D-phenylalanyl-pipecolyl- moiety, and benzyl phenylalanyl-valyl-arginyl- moiety attached to a moiety selected from the group consisting of an N-phenyl-p-phenylenediamine moiety, and an N-[p-methoxyphenyl-]-p-phenylenediamine moiety.

215. (Previously presented) The cartridge of claim 175, wherein the sensor is coated with a mercaptoalkanol reagent selected from the group consisting of mercaptoethanol, mercaptopropanol, mercaptobutanol, and mixtures thereof.

2. The following is an examiner's statement of reasons for allowance: In addition to the remarks of record, the cited prior art fails to teach or suggest the claimed method and apparatus comprising a holding chamber, that accepts a sample, connected to an overflow chamber and a pump arranged such that the overflow chamber is between the holding chamber and the pump. The metered sample is moved from the holding chamber by pumping through the overflow chamber. The claimed method and apparatus is not taught or suggested by the cited prior art. At best the cited prior art teaches a holding chamber attached to an overflow chamber and the sample is pumped directly from the holding chamber and not through the overflow chamber as presently claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LYLE A. ALEXANDER whose telephone number is (571)272-1254. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LYLE A ALEXANDER/

Primary Examiner, Art Unit 1797